

DOUGLAS A. WINTHROP (No. 183532)
Email: dwinthrop@howardrice.com
JEFFREY E. FAUCETTE (No. 193066)
Email: jfaucette@howardrice.com
HOWARD RICE NEMEROVSKI CANADY
FALK & RABKIN
A Professional Corporation
Three Embarcadero Center, 7th Floor
San Francisco, California 94111-4024
Telephone: 415/434-1600
Facsimile: 415/217-5910

Attorneys for Plaintiff
BEVERAGES & MORE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BEVERAGES & MORE, INC., a Delaware
corporation,

Plaintiff,

v.

RITE AID CORPORATION, a Delaware
corporation,

Defendant.

No. C05-4659 PVT

STIPULATION AND ~~PROPOSED~~
ORDER RE CASE MANAGEMENT
SCHEDULE

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

1 WHEREAS, March 7, 2006 is the current deadline for the Parties to exchange initial
2 disclosures and to file a case management conference statement in this matter.

3 WHEREAS, this matter is set for an initial case management conference on March 14,
4 2006.

5 WHEREAS, the Parties have been engaged in fruitful settlement negotiations, believe
6 that a settlement may be reached in the near term and wish to avoid unnecessary
7 expenditures of time and resources by the Court or the Parties.

8 THEREFORE THE PARTIES HEREBY STIPULATE TO THE FOLLOWING
9 MODIFICATION TO THE EXISTING SCHEDULE IN THIS MATTER:

10 1. The initial case management conference set for March 14, 2006 is hereby
11 vacated.

12 2. The Parties shall appear for an initial case management conference before
13 Magistrate Judge Patricia V. Turnbull on April 11, 2006 at 2:00 p.m., or such other date
14 subsequent to April 11 as may fit the Court's calendar.

15 3. The Parties shall complete initial disclosures or state objection in a Rule 26(f)
16 Report, file and serve Case Management Statement and file and serve a Rule 26(f) Report no
17 later than seven days prior to the rescheduled initial case management conference.

18 The parties respectfully request that the Court approve and sign this Order.

19
20 DATED: March 7, 2006.

21 Respectfully,

22 DOUGLAS A. WINTHROP
23 JEFFREY E. FAUCETTE
24 HOWARD RICE NEMEROVSKI CANADY
25 FALK & RABKIN
26 A Professional Corporation

27 By: _____/s/_____
28 JEFFREY E. FAUCETTE

Attorneys for Plaintiff BEVERAGES & MORE, INC.

1 DATED: March 7, 2006.

2 Respectfully,

3 MORGAN, LEWIS & BOCKIUS LLP

4 By: Carla B. Oakley
5 CARLA B. OAKLEY

6 Attorneys for Defendant RITE AID CORPORATION

7
8
9 **ORDER**

10 IT IS SO ORDERED.

11
12 Dated: 3/8/06, 2006 Patricia V. Turnbull

13
14 Honorable Patricia V. Turnbull
15 United States Magistrate Judge

16 W03 030706-100970036/Y01/1268740/v1